



U.S. Department of Justice

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August 24, 2023

Via Electronic Mail

Eva Gardner
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Ashburn & Mason, P.C.
Attorneys for Plaintiff

Re: Response to Plaintiff's Challenge to Confidentiality Designations
Vinberg v. United States, 3:22-cv-00135-HRH

Dear Eva and Dylan:

On August 8, my office received your letter challenging the “highly confidential” designations pursuant to the Stipulated Protective Order at Docket 38. Your letter challenged the designations of two video clips and several text messages and social media posts. We discussed the designations over the phone on August 18. This letter follows to commemorate our discussion in which I agreed to remove the “highly confidential” designations to NAVY-1666-1668, 1673-1675, 1679-1682, 1686-1688, 1692-1694, 1699-1704, 1718-1721, 1727-1753, 1755-1758, 1762-1765, 1769-1771, 1776-1778, and 1782-1784. However, because the video clips at NAVY 1271 and NAVY 1272 reveals sensitive information about military operations, such as base security, resources and methods, the Government maintains the “highly confidential” designation remains necessary. The example I gave was that even the location and scope of view of the security cameras reveals such sensitive information, although this example was not intended to be exhaustive.

Pursuant to our discussion on August 18, please see the attached amended designations outlined above.

Sincerely,

S. LANE TUCKER
United States Attorney

/s/Marie C. Scheperle
Assistant U.S. Attorney, Civil
Chief